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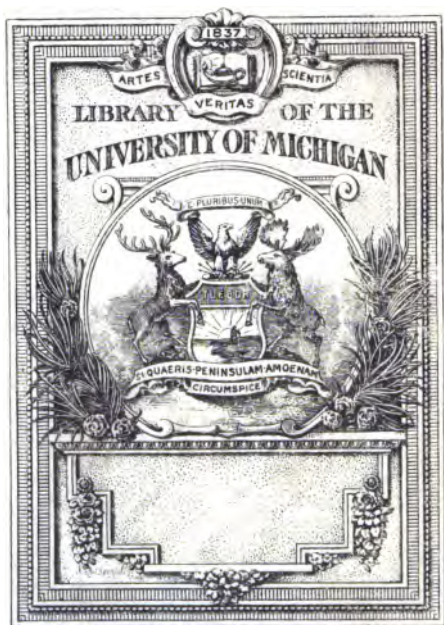
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LONDON GOVERNMENT
BY
Henry Clarke.

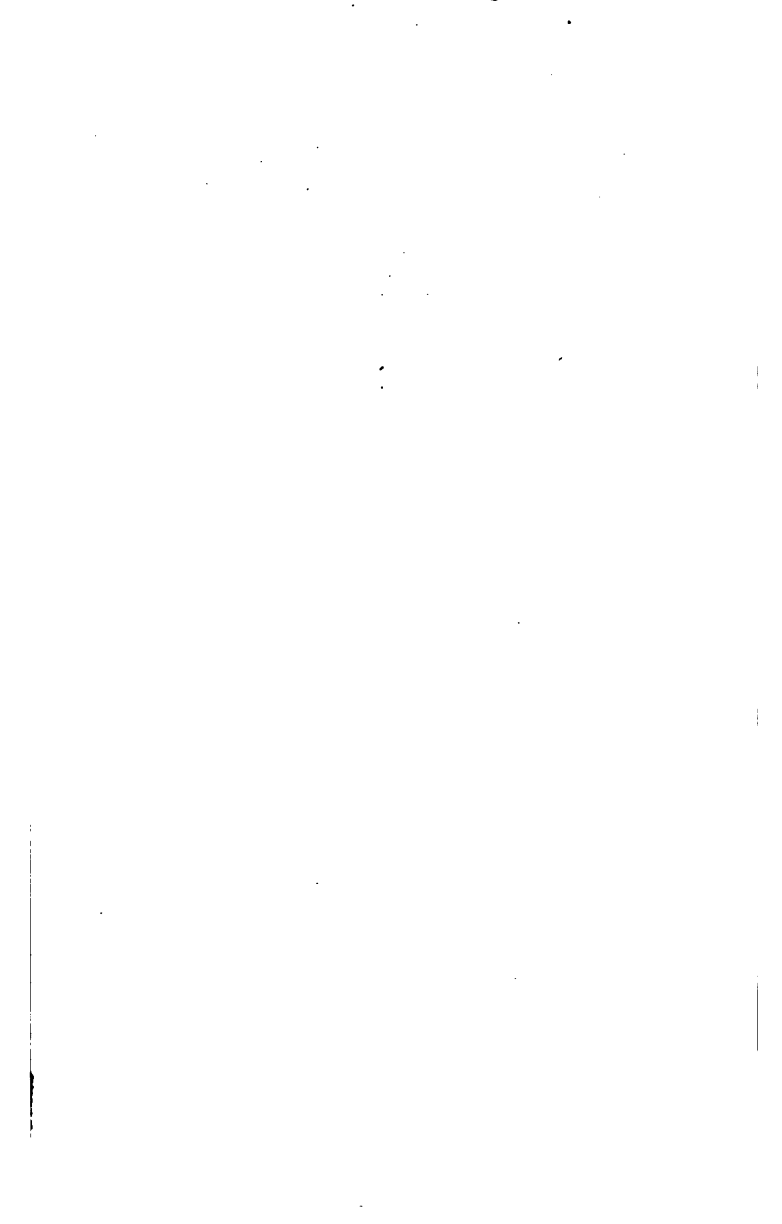


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LONDON GOVERNMENT.

THE LOCAL GOVERNMENT ACT, 1888,
IN ITS APPLICATION TO
LONDON.

BY

HENRY CLARKE.

AUTHOR OF

"MUNICIPAL GOVERNMENT OF LONDON, 1882."

"APPENDIX TO MUNICIPAL GOVERNMENT OF LONDON, 1884."

"24 REASONS AGAINST SIR WM. HARCOURT'S LONDON
GOVERNMENT BILL, 1884."

"LONDON GOVERNMENT, 1887."

SECOND EDITION.

PRICE ONE SHILLING.

London :

Published by SIMPKINS, MARSHALL, & CO.,
4, Stationers' Hall Court.

1888.

LONDON :

**PRINTED BY MILTON SMITH AND CO.,
13-17, DEVONSHIRE STREET, BISHOPSGATE.**

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PREFACE.

PERHAPS it is premature to assert that Mr. Ritchie has solved the difficult problem of Metropolitan Government, but it may be safely claimed for him that his Local Government Bill, which has now received the sanction of Parliament, has rescued the question from the position of doubt, uncertainty, and bewilderment which it has occupied for so long a period. Even if the scheme evolved by him should not prove perfect in all respects, it will certainly carry the matter a long way towards perfection; and it presents a good foundation whereon to raise a complete superstructure, as experience may suggest variations and improvements from time to time.

It may be in the remembrance of those who have followed this subject for many years, that Mr. J. F. B. Firth, then (1880) Member for Chelsea, published a scheme having for its object the extinction of every existing Local Governing body, and the erection of one sole municipality for the whole of London. A league, called the Metropolitan Government Reform League, was established to advocate this plan.

Others and myself have strenuously opposed this centralizing policy; and have advocated, as an

alternative plan, local authorities for local purposes, and a central authority for the management and control of all things concerning the Metropolis as a whole. This principle is carried out in Mr. Ritchie's Bill. It is somewhat amusing to find that members of the League claim to participate with Mr. Ritchie in the credit of his success, and it must be a source of much satisfaction to the Secretary of the Local Government Board that he has been able to please all parties.

Sir Wm. Harcourt in his Bill of 1884, influenced by the League, proposed to abolish the Corporation of the City of London, the Metropolitan Board of Works, and the Vestries. To excite the opposition of all these bodies was to court failure, even had his scheme been otherwise unobjectionable. His successor, profiting by past failures, determined to supersede only that body which no one pretended to uphold as it is at present constituted—the Metropolitan Board of Works—and to incorporate the City Municipality and the Vestries in his scheme, reserving the right of introducing such modification in the Vestries and District Boards, as may be found necessary at a future time.

Mr. Ritchie thus secured the Corporation as an ally, and its powerful support, both overt and covert, has been given ungrudgingly; thus again refuting the oft-repeated accusation of opponents,

that the Corporation had ever opposed and always would oppose any measure of reform for the Government of London.

It is a noteworthy fact that not one petition was presented to Parliament from London in opposition to the Bill (so far as relates to Metropolitan Government).

It rests now with the inhabitants of the Metropolis to make the measure successful in practical operation. A heavy task faces all those whose duty it will be to set the huge machine in motion, and to give it such an impetus as may ensure final success.

All who recognize the importance of this experiment, will watch with keen interest the impending "first elections"; so much depending upon the composition and tone of this first Metropolitan Parliament. It is to be devoutly hoped that men of character, independent position, and administrative ability will offer themselves as candidates for the Council.

It is rumoured that the elections are to be made subservient to party politics. This would be deplorable! What have politics properly to do with Municipal Government?

In selecting a candidate for Parliament, your first care is to know whether he is a supporter of your side of politics or not; his own qualifications

take a secondary place ; but it is obvious that the choice of candidates for Municipal Government should be made solely with reference to their fitness for the particular duties and responsibilities appertaining to the office.

It is equally obvious that if party (political) considerations are to weigh, it will inevitably result in some instances in the most suitable persons being defeated.

If gentlemen willing to devote sufficient time to the work (and it will involve considerable time), and enjoying such a position in society, and possessing such abilities as will render them the masters and not the allies of the officials, find themselves excluded because other candidates possessing none of these qualifications, but who happen to be the accepted candidates of the predominant political party in any particular electoral division, the result will be deplorable; while if added to the absence of necessary qualifications, such candidates are influenced purely and simply by the desire of furthering their own personal interests, the result will be still more to be regretted.

Let everyone then who wishes well to this new venture, discourage political partizanship in the elections.

Perhaps I may be permitted to quote from my little brochure of 1887. "Politics had better be

kept out of view altogether, not only in the inception of any plan for London Government, but in the subsequent municipal life, the outcome of it : let Paris and New York serve as warnings."

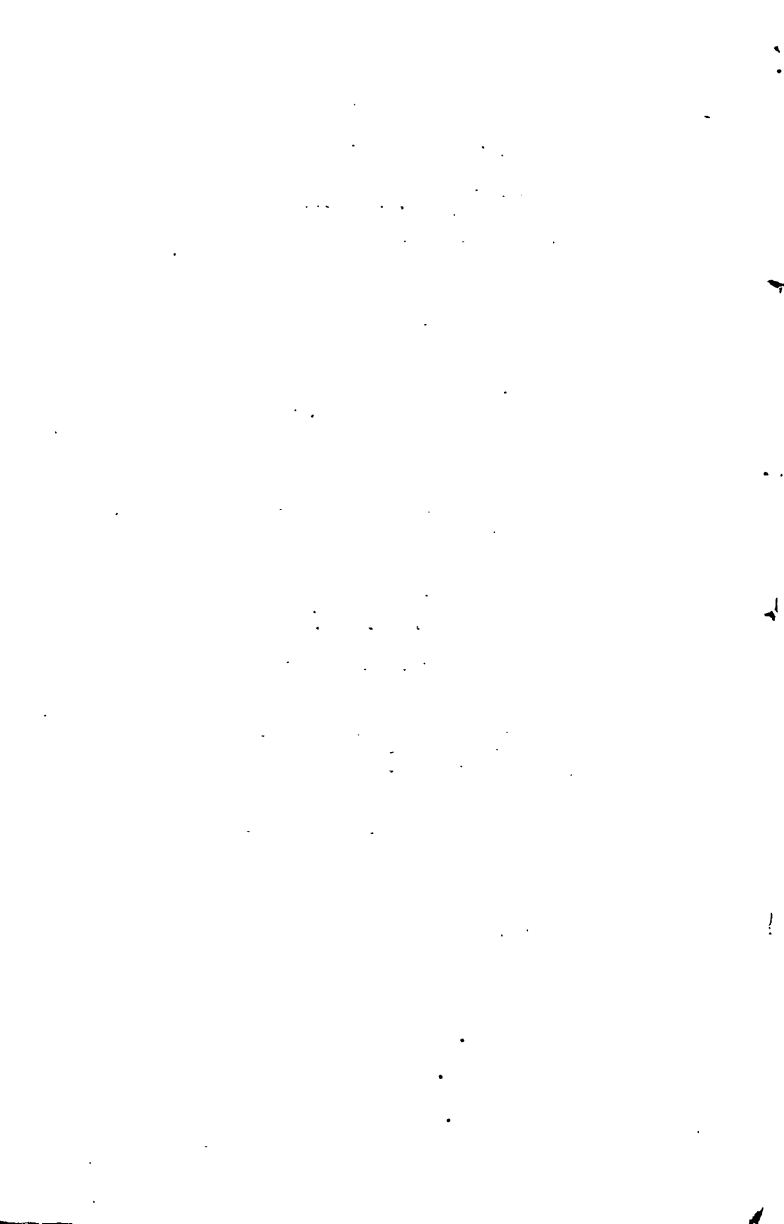
I ventured also to caution ratepayers against expecting that an improved system of government would lessen the rates. One may hazard even a prediction that, unless ratepayers exercise great circumspection in the choice of suitable candidates, they will be made to smart for their imprudence by a sensible increase of rates.

In conclusion, I wish to disclaim any idea of this little book being an exhaustive digest of the Act, or even that it is likely to be permanently useful as a handbook. It is indeed intended to fulfil the more modest purpose of arranging in a succinct form the salient features of the new law, for the use of those who, like myself, wish to acquire a practical every-day knowledge of the subject.

HENRY CLARKE.

CANNON HALL,
HAMPSTEAD.

August, 1888.



LONDON GOVERNMENT.

THE LOCAL GOVERNMENT ACT, 1888, IN ITS APPLICATION TO LONDON.

The Prominent Figures indicate the section of the Act, the others, the sub-sections.

40 (1) The Metropolis is to be a County of itself, to be called "The County of London."

100 The "Metropolis" is the City of London, and all the Parishes mentioned in the Metropolitan Management Act, 1885; in fact, the area now under the management of the Metropolitan Board of Works, and Corporation of London.

40 (2) So much of the Metropolis as forms portions of Middlesex, Surrey and Kent will be separated from those Counties

91 The County of London will have its

40 (2) Lord-Lieutenant, Sheriff, Justices of the Peace, Court of Quarter Sessions, and County Council.

The London County Council is to consist of "County Aldermen" and "County Councillors."

- 40 (5)** The number of County Aldermen is not to exceed one sixth of the whole number of County Councillors, and as will be presently seen, therefore, there will be nineteen Aldermen.
- 40 (4)** The number of County Councillors is to be twice the number of Metropolitan (City and Borough) Members of Parliament, hence there will be 118 as follows:—

METROPOLITAN ELECTORAL DIVISIONS.

	No. of Mems.
Battersea	2
Bermondsey, (Southwark)	2
Bethnal Green (N.E.)	2
Bethnal Green (S.W.)	2
Bow and Bromley, (Tower Hamlets)	2
Brixton, (Lambeth)	2
Camberwell (N.)	2
Chelsea	2
Clapham	2
Deptford	2
Dulwich, (Camberwell)	2
Finsbury (Central)	2
Finsbury (E.)... ..	2
Fulham	2
Greenwich	2

							No. of Mems.
Hackney (N.)...	...	...	...	...	...	...	2
Hackney (Central)	...	...	...	...	...	...	2
Hackney (S.)...	...	...	...	...	...	...	2
Haggerston	...	...	...	...	...	...	2
Hammersmith	...	...	...	...	...	...	2
Hampstead...	...	...	...	...	...	...	2
Holborn, (Finsbury)	...	...	...	...	...	...	2
Hoxton	...	...	...	...	...	...	2
Islington (N.)	...	...	...	...	...	...	2
Islington (S.)...	...	...	...	...	...	...	2
Islington (E.)	...	...	...	...	...	...	2
Islington (W.)	...	...	...	...	...	...	2
Kennington, (Lambeth)	...	...	...	...	...	...	2
Kensington (N.)	...	...	...	...	...	...	2
Kensington (S.)	...	...	...	...	...	...	2
Lambeth (N.)	...	...	...	...	...	...	2
Lewisham	...	...	...	...	...	...	2
Limehouse, (Tower Hamlets)	...	...	...	...	...	...	2
London (City)	...	...	...	...	...	...	4
Marylebone (E.)	...	...	...	...	...	...	2
Marylebone (W.)	...	...	...	...	...	...	2
Mile End, (Tower Hamlets)	...	...	...	...	...	...	2
Newington (W.)	...	...	...	...	...	...	2
Norwood, (Lambeth)	...	...	...	...	...	...	2
Paddington (N.)	...	...	...	...	...	...	2
Paddington (S.)	...	...	...	...	...	...	2
Peckham, (Camberwell)	...	...	...	...	...	...	2
Poplar, (Tower Hamlets)	...	...	...	...	...	...	2

	No. of Mems.
Rotherhithe, (Southwark)	2
St. George's, (Hanover Square) ...	2
St. George's, (Tower Hamlets)	2
St. Pancras (E.)	2
St. Pancras (N.)	2
St. Pancras (S.)	2
St. Pancras (W.)	2
Southwark (W.)	2
Stepney, (Tower Hamlets)	2
Strand	2
Walworth, (Newington)	2
Wandsworth	2
Westminster	2
Whitechapel, (Tower Hamlets) ...	2
Woolwich	2

Number of Aldermen and Councillors
together, 137.

75 (15) A quorum of the Council is to consist of
one-fourth.

The Aldermen will be selected as here-
after appears.

ELECTION OF COUNTY COUNCILLORS.

(RETURNING OFFICER.)

103 (7) The first Returning Officer for the
County of London will be appointed
by the Local Government Board.

- (8) He is to make up the County Register and Division Registers from the City List of Voters for 1888, and from the last List of Voters of Middlesex, Surrey, and Kent, so far as they shall be comprised within the limits of the Metropolis.
- (6) The Returning Officer's expenses are to be defrayed out of the County Rates.
- (3) Electoral Divisions may be divided into Polling Districts, at the discretion of the Returning Officer.

QUALIFICATION OF CANDIDATES.

- 2 (b) All persons qualified by the Municipal Corporations Act, 1882, are qualified to become Representatives (Aldermen or Councillors) in County Councils, and also Peers owning property, or registered as voters in the County, are eligible.
- 2 (a) Ministers of religion, whether Church or Dissenters, are not disqualified.

VOTERS.

- 77 Any person entitled to vote in the

County of London is not to forfeit his right to vote by reason of his living outside the County, provided he resides within fifteen miles of the boundary of the County of London.

Persons qualified to vote are the same as those qualified by Municipal Corporations Act, 1882, viz., all persons, male or female, not otherwise disqualified, having a £10 occupation franchise.

Aliens cannot vote.

FIRST ELECTION.

- 103** (1) The first election shall take place in January, 1889, and the Returning Officer may fix any date not before the 14th.

ELECTIONS.

The election is to be conducted, as provided by Municipal Corporations Act, 1882, by Ballot.

- 75** (11) The hour of polling shall be as fixed by the Election Act of 1885, viz., 8 a.m. to 8. p.m.

- 75 (9)** After the nomination such time is to elapse before the election as the Returning Officer may fix, not exceeding six days.
- 75 (14)** All persons elected are to signify their acceptance within ten days.
- 107 (1)** Should any Candidate be elected for more than one Electoral Division, he must notify to the Returning Officer which division he will represent.
- Subsequent elections of Councillors will take place on the 1st November triennially.
- 75 (13)** The Chairman and the Aldermen will be elected on the 7th November, the time also for holding a Quarterly Meeting of the Council.
- Aldermen will be elected for six years, but, of those first elected, half will retire on the 7th November, 1891.
- I (d)** County Councillors are to be elected for three years, and then to retire together. The first elected will retire 1st November, 1891.
- 75 (14)** Absence from duties for twelve months disqualifies Aldermen or Councillors.
- 103 (8)** The Returning Officer is to send the names of the persons elected at the first

election next January to the Clerk of the Metropolitan Board of Works, subsequently to the Clerk of the County Council.

- 75 (17).** The costs of elections are to be paid out of the County Rates, *i.e.*, all expenses except the Candidates' own expenses.

Candidates expenses for advertising, canvassing, &c., are not specially referred to by the Bill.

PROVISIONAL COUNCIL.

- 105 (2)** The members elected next January are to meet on the second Thursday next after the day of election, and shall constitute a Provisional Council.
- 106 (5)** They shall meet at the Office of the Metropolitan Board of Works.
- 105 (3)** The first business shall be to elect a Chairman for that meeting, who is to take the Chair also at the next meeting.
- 105 (3)** They shall then proceed to elect the Aldermen, and the Aldermen so elected shall be summoned to the next meeting.
- 107 (2)** If any member of the Council be elected an Alderman, this will create a vacancy

which is to be filled up by another election like any casual vacancy.

- 105** (4-5) The Provisional Council at its second meeting, shall proceed to the election of a Chairman of the Council, and also a Deputy-Chairman.

I (5*b*) The Chairman shall be "ex officio" Justice of the Peace for the County of London.

- 88** (*a*) The Deputy-Chairman may be paid a salary.

- 106** (1) The Provisional Council shall now proceed to organize itself, and make all preliminary arrangements prior to its meeting for the dispatch of business, on the 1st April.

Amongst many other things which the Provisional Council will have to determine, will be fixing the day of the week for the regular Council Meeting. This doubtless, will prove a somewhat troublesome question.

The next will be, at what hour the Meeting will take place, and this, probably, will lead to more discussion than the previous question.

Probably professional men and those engaged in a large way of business, would find 4 o'clock in the afternoon a convenient hour, and the proceedings would carry them far into the evening.

Some others would prefer to meet in the middle of the day, so as to have their evenings free.

It must not be forgotten that the Committee Meetings will absorb an immense amount of time. (The Metropolitan Board of Works have met about 400 times a year.)

It may be worth mentioning that the Common Council sits on Thursdays at 1 o'clock, having recently altered the time from 12 to that hour. The Metropolitan Board of Works has held its Board Meetings at 12 on Fridays.

One of the next things which will present themselves for consideration, will be the appointment of Committees.

The Committees of the Corporation of the City of London, are as follow :—

The City Lands Committee, which deals with all property belonging to the Corporation.

The Bridge House, &c. Committee, which has had amongst other things the construction and maintenance of Bridges.

The General Purposes Committee, which is charged with questions of procedure and policy, and so forth.

The Markets Committee, has charge of the important business indicated by the name.

The Gas and Water Committee consider all questions relative to these matters.

The Officers and Clerks Committee considers appointments, salaries, misconduct, &c.

The Finance and Improvement Committee (of the Commissioners of Sewers) examines all proposals for Street Improvement, &c.

The Streets Committee (of the Commissioners of Sewers) takes charge of Scavenging, &c.

The Sanitary Committee (of the Commissioners Sewers) has control of all Sanitary business.

In the Corporation there are many other Committees having control of matters in which the County Council would not be interested.

The Committees of the Metropolitan Board of Works are as follow :—

Finance.

Fire Brigade.

Building Act.

Parks, Commons, and Open Spaces.

Parliamentary.

Special Purposes and Sanitary.

Contagious Diseases (Animals) Act.

Bridges.

Works and General Purposes.

Appeal.

107 (5) The first Meeting of the London County Council will be on the 1st April, 1889, and is to be summoned by the Chairman.

40 (8) The Metropolitan Board of Works will cease on the 1st April, 1889.

DUTIES AND POWERS OF THE LONDON COUNTY COUNCIL.

All powers and duties of the Metropolitan Board of Works will be taken over by the County Council (on 1st. April).

- 3 (I) The Council is to make, assess, and levy
County Police Rates, and has the power
of Revising the basis of the Rate, and
(II) Borrowing Money.
- 6 It may purchase, take over, and erect
Bridges.
- 3 (VIII) It will have the care of those Bridges
and Highways under the control of the
County.
- 3 (IV) It is charged with all duties relating to
(the buildings) of—
Assize Courts,
Lock-up Houses,
Court Houses,
Justice Rooms,
Police Stations,
County Buildings, &c.
- 3 (XIII) It will have the execution of Acts
relating to—
Contagious Diseases (Animals),
Destructive Insects,
Fish Conservancy,
Wild Birds,
Weights and Measures,
Gas Meters,
Local Stamp Act, 1869,

Riot Damages Act, 1886,
 Registration of Rules of Societies,
 Certifying places for Religious Worship

- 14 (I) Rivers Pollution Act, 1876.
- 3 (V) It will grant Music, Dancing, and Race-course Licences.
- 45 It will Licence Slaughter-houses, Cow-houses, &c.
- 7 It will also take over the duties heretofore performed by Justices, viz., in respect of
 - (a) Theatrical Licences.
 - (b) Explosives Act, 1875.
- 3 (VI) Pauper Lunatic Asylums.
- 3 (VII) The Establishment and Maintenance of, and Contributions to Reformatory and Industrial Schools.
- 3 (X) The appointment and control of all Officers, including County Treasurer, Coroners, &c., paid out of County Rates, save the Clerk of Peace, and Clerks of the Justices.
- 3 (IX) Regulating Fees payable to Inspectors, Analysts, &c.
- 3 (XII) Arranging for the division of the County into Polling Districts for Parliamentary

Elections, and all arrangements connected with same.

16 It may make bye-laws.

15 It may oppose Bills in Parliament.

(6) But not promote any Bills.

30 It is to act conjointly with the Justices in regard to the Clerk of the Peace, Clerks to Justices, &c.

3 (III) It will have to pass the County Treasurer's Accounts.

10 Various other duties are to be made over to it by the Local Government Board from time to time.

20 (3) By an Order in Council, power may be given to County Councils to levy duties on Local Taxation Licences. These are as follows :—

Licences for the sale of intoxicating liquor for consumption on the premises ;

Retailers of spirits (publicans).

Retailers of spirits, occasional licences.

Retailers of beer.

Retailers of beer, occasional licences.

Retailers of beer and wine.

Retailers of cider,

Retailers of wine.

Retailers of wine, occasional licences.

Retailers of sweets.

**Licences for the sale of intoxicating liquor
by retail by persons not licensed to deal
therein, for consumption off the premises ;**

Retailers of beer.

Retailers of beer and wine.

Retailers of cider.

Retailers of wine.

Retailers of sweets,

Retailers of table beer.

Licences to deal in game.

Licences for—

Beer dealers.

Spirit dealers.

Sweets dealers.

Wine dealers.

Refreshmenthouse keepers.

Dogs.

Killing game.

Guns.

Appraisers.

Auctioneers.

Tobacco dealers.

Carriages.

Trade carts.

Locomotives.

Horses and mules.

Horse dealers.

Armorial bearings.

Male servants.

Hawkers.

House Agents.

Pawnbrokers.

Plate dealers.

It will be seen by the foregoing that the effect of Mr. Ritchie's Local Government Act is to hand over to the London County Council all the powers and duties of the Metropolitan Board of Works, and some of the administrative duties of the Justices of the Peace.

- 10 (a)** In addition to that it empowers the Local Government Board to transfer to the County Council any powers and duties conferred by Statute on any Government Department relating to matters of an administrative character appertaining to the County of London.

SHERIFF.

- 113** There will be a Sheriff appointed by the Crown for the County of London, and one also for that part of the County of Middlesex outside the Metropolis, who will assume the functions of the Sheriff of Middlesex heretofore elected by the Livery of the City of London.
- 41 (8)** The two Sheriffs of the City of London, who have hitherto constituted the Sheriff of Middlesex, will henceforward have no jurisdiction outside the City.

JUSTICES OF THE PEACE.

- 115** Justices may be appointed for the County of London, provisionally, until the 1st April, 1889, for the purpose of making the new arrangements, in conjunction with the County Council.
- 117** Existing Justices of the Peace for Middlesex, Surrey, or Kent, for the Liberty of Westminster, or the Liberty of the Tower of London, shall be Justices of the County of London, providing they live in London.
- 95** Justices of the Peace for Middlesex are to be Justices for the County of London.
- 116** Until other arrangements are made, all cases triable at Quarter Sessions shall be heard at Clerkenwell for the North of the Thames, and at Newington for the South.
- 42** (12) The Counties of Middlesex, Surrey, and Kent may hold Special or Petty Sessions within the County of London, *but Jurors* must be summoned from the respective Counties, and not from the County of London.

- 42** Barristers of 10 years' standing may be appointed as Salaried Chairman or Deputy Chairman of the Quarter Sessions of the County of London.

CORONERS.

Existing Coroners are to retain office.

- 3** (5) County Coroners are to be elected in future by the County Council.
- (XI) Their fees are to be regulated by the County Council.
- 34** (4) The City Coroner will be elected by the Corporation as heretofore.

MEDICAL OFFICERS.

- 18** Must be legally qualified practitioners with British diplomas.
- 19** The Medical Officers of Vestries and District Boards must send copies of their periodical reports to the County Council.

METROPOLITAN POLICE.

- 93** These remain under the same authority as at present.

OFFICERS.

- 118** (8) Clerk' of the Peace for Middlesex, to be Clerk of the Peace for the County of London.
- (10) Relates to Clerk of the Peace for Surrey.
- (11) Relates to Salaried Clerks of Petty Sessions.
- (13) Relates to County Treasurer, Auditors, Solicitors, Surveyors, Analysts, &c.
- (14) Officers and Servants of the Metropolitan Board of Works to be transferred to London County Council.
- 119** (3) Unnecessary offices may be abolished.
- 83** (11) The Clerk of the County Council of London is not to be the Clerk of the Peace, In other Counties one person may hold both offices.

MISCELLANEOUS.

- 89** (3) The County of London and the County of Middlesex, are to be deemed one County for civil and criminal legal proceedings, save Quarter Sessions.

- 96** The Middlesex registration of land is perpetuated, and the area unchanged.
- 91** Sect. 50 of the Militia Act, 1882, is unaffected by this Act. The County of London is to have its County Militia.
- 40 (6-7)** Provision is made for the adjustment of property, debts and liabilities of the three Counties of Middlesex, Surrey and Kent, arising out of the severance of portions of those Counties.

WATER.

This question is not touched by the Act, having been reserved for subsequent consideration when London Government exclusively shall form the subject of legislation.

It would appear desirable that the London Government Council should be furnished with full power to deal with this important matter, subject to the sanction of Parliament only in the event of the Council being unable to arrange amicably with the Water Companies, or in the event of its deciding to bring a supply of water from outside the metropolitan area.

Having had occasion to study this question in reference to a motion made by me in the Court of Common Council, I venture to express my belief that the London Government Council would be able to offer terms for acquiring the property of the Companies which ought to be acceptable to them and at the same time prove advantageous to the ratepayer. But I am not competent to form any opinion as to the expediency of seeking distant sources of supply, and this question would seriously affect any arrangement to be made with the Companies.

GAS.

Doubtless the London Government Council will be endowed with power to exercise adequate control over the Gas supply.

COAL DUES.

The Act has left this question to be dealt with hereafter.

It will be most unfair to the County Council if it is to be deprived of the

opportunity of considering whether in the interests of the Metropolis, this tax should be continued or not, because without it, a sensible addition must be made to the rates.

THE CORPORATION.

The Bill deals very tenderly with the ancient rights of the Corporation, which it has been authoritatively stated in Parliament is to pursue its career of usefulness unmolested.

There are some Members of the Corporation who incline to the opinion that this presents a favourable opportunity for effecting some internal reforms, such as re-adjusting the Wards and the numbers of representatives, and so forth. I confess that I participated in the opinion some years ago that these things might with advantage be modified, but further experience has led me to attach little value to them one way or the other; the fact is the work of the Corporation is, on the whole, admirably done.

Although it is true that the number of Common Councilmen appears large (206), yet there is safety in numbers. With all the desire on the part of the detractors of the Corporation to do so, no one has been able to discover any scandalous "job" such as those which have come to light in regard to some other public bodies and government departments. This negative evidence speaks strongly in favour of the rectitude of the Members of the Corporation.

The Accounts are published annually, and are models of clearness.

SECTIONS OF THE ACT APPLYING SPECIALLY TO THE CITY OF LONDON.

- 93** City Police not to be affected by Act.
- 94** Relates to the grant from the County Council for pauper lunatics.
- 41 (2)** Relates to the same subject.
- 89 (1)** Refers to the Central Criminal Court.
- 89 (2)** Confirms liability and exemption for serving on Juries in the City.

41 (3) The City is to continue to be exempt from certain costs incurred by the Metropolitan Board of Works to which it is not now liable.

41 (4a) The Common Council can make bye-laws relative to locomotives.

41 (4b) The Commissioners of Sewers may claim to have the management of any streets passing through the City and deemed main roads.

41 (5) Costs of Assizes and Quarter Sessions and City Prosecutions to be payable out of County Rates.

Definition—" Quarter Sessions " in the City, for administrative purposes, is to mean the Lord Mayor and Aldermen.

41 (6) County Councillors elected for the City are not to vote on questions of expenditure to which the City does not contribute.

41 (7) The London County Council and the Common Council may make mutual arrangement respecting payments, duties and liabilities.

117 Deputy-Lieutenants are unaffected by the Act, so also are the Livery Companies, except so far as electing the Sheriff of Middlesex.

